

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 10, 2006. Claims 1 to 33 are in the application. Claims 1, 7, 9 to 13 and 15 are independent. Reconsideration and further examination are respectfully requested.

Applicant thanks the Examiner for the courtesies and thoughtful treatment afforded to Applicant's representatives during the March 22, 2006, telephonic interview with the Examiner. Applicant submits that the forgoing amendments and following remarks accurately reflect the substance of the interview.

Claims 1 to 8, 11 to 19 and 22 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,570,417 (Byers) in view of U.S. Patent No. 5,862,203 (Wulkan). Claims 9, 10, 20, 21 and 23 to 33 were rejected under §103(a) over Byers in view of Wulkan, and further in view of U.S. Patent No. 6,597,903 (Dahm). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention relates to communication services in which an additional service is provided to a called party based upon the time or amount of communication of a received call. In this way, a called party is given an incentive to increase traffic received by him through an exchange of the communication company to which the called party subscribes.

Referring specifically to the claims, independent Claim 1 defines a method of providing an additional service to a called party having a subscription to a communication company's communication service. The method comprises billing a calling party for a call from the calling party to the called party. The call is received by the called

party through an exchange of the communication company. The method also comprises providing an additional service to the called party based on a communication time of the received call, and in accordance with the subscription.

The cited references are not seen to disclose or to suggest the features of independent Claim 1, and in particular, are not seen to disclose or to suggest at least the feature of providing an additional service to a called party based on a communication time of a received call.

Byers is seen to disclose a telecommunications system in which a database maintains a running tally for all calls made by a customer during a billing cycle, which may then be used to trigger discounts. (column 3, lines 56 to 62 of Byers). While Byers arguably discloses discounts based on a running tally of calls made by a customer, Byers is not seen to disclose or to suggest providing an additional service to the called party based on a communication time of a received call.

Wulkan is seen to disclose a system for choosing an optimum carrier for an outgoing call by using a call history of calls made with a certain provider to determine whether a volume discount applies for that provider, and statistics of previous call durations can be used to predict the duration of a call. (column 10, lines 28 to 47 of Wulkan). While Wulkan arguably discloses providing an optimum carrier for outgoing calls, Wulkan is not seen to disclose or to suggest providing an additional service to the called party based on a communication time of a received call.

The remaining cited reference, namely Dahm, is not seen to supply what is missing from Byers and Wulkan. Accordingly, independent Claim 1 is believed to be allowable.

Independent Claim 7 defines method of providing an additional service to a called party having a subscription to a communication company's communication service. The method comprises billing a calling party for a call from the calling party to the called party. The call is received by the called party through an exchange of the communication company. The method also comprises providing the additional service to the called party based on an amount of communication of the received call, and in accordance with the subscription.

As discussed above, the cited references are not seen to disclose or to suggest providing an additional service to the called party based on a communication time of a received call. Similarly, the cited references are not seen to disclose or to suggest providing an additional service to a called party based on an amount of communication of a received call. Accordingly, independent Claim 7 is believed to be allowable.

Independent Claim 9 defines an additional-service providing apparatus used by a communication company that provides communication services. The apparatus comprises informing means for informing a called party, who subscribes to the communication services of the communication company, of a call sent to the called party, and an accumulation means for accumulating a time of communication of each call from a calling party the called party receives through the communication services of the communication company. The calling party of each call, not the called party informed of

the call, is charged for the call. The apparatus also comprises providing means for providing at least one additional service to the called party in accordance with the accumulated time of communication.

Independent Claims 10 to 13 are apparatus, computer-executable program instructions, and system claims that include, *inter alia*, a feature directed to providing at least one additional service to a called party in accordance with accumulated amount of communication, accumulated measured communication time, accumulated measured communication amount, or the value of an accumulator.

As discussed above, the cited references are not seen to disclose or to suggest at least the feature of providing an additional service to the called party based on a communication time of a received call. Similarly, the cited references are not seen to disclose or to suggest the features of independent Claims 9 to 13. Accordingly, independent Claims 9 to 13 are believed to be allowable.

Independent Claim 15 defines a communication system in which a called party is connected to a first exchange and a calling party is connected to a second exchange. The system comprises a third exchange for determining whether said first exchange and said second exchange are operated by the same communication company to which the called party and the calling party subscribe. The calling party, not the called party, is charged for a call to the called party. At least one additional service is provided to the called party according to the determination made by said third exchange. The additional service is provided according to the communication time or the communication amount of the call provided to the called party through said first exchange.

The applied references are not seen to disclose or to suggest the features of independent Claim 15, and in particular, are not seen to disclose or to suggest at least the feature of providing least one additional service to the called party according to a determination made by a third exchange whether a first exchange and a second exchange are operated by the same communication company to which the called party and the calling party subscribe, and the calling party, not the called party, is charged for a call to the called party.

As discussed above, the cited references arguably disclose discounts based on a running tally of calls made by customers or providing an optimum carrier for outgoing calls. However, the cited references are not seen to disclose or to suggest providing least one additional service to the called party according to a determination made by a third exchange whether a first exchange and a second exchange are operated by the same communication company to which the called party and the calling party subscribe, and the calling party, not the called party, is charged for a call to the called party.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa,  
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our below-listed address.

Respectfully submitted,



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